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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

JORGE NAVARRO,
Defendant.

CASE NO: 2:19-cr-00056-JCM-DJA
**STIPULATION TO CONTINUE
SENTENCING**
(Third Request)

IT IS HEREBY STIPULATED AND AGREED by JORGE NAVARRO, by and through his attorney, RACHAEL E. STEWART, ESQ., and the United States of America, by and through MELANEE SMITH, ESQ., Assistant United States Attorney, that the sentencing hearing scheduled for October 28, 2022, be continued for a period of no fewer than sixty (60) days, to a date and time convenient to this Honorable Court after January 1, 2023.

The request for a continuance is based upon the following:

1. Defense Counsel is still in the process of gathering mitigation information that needs to be finalized before proceeding to sentencing. This is the first request for a continuance for current Defense Counsel.
2. The Government has no objection to the continuance.
3. Mr. Navarro is in custody, and he does not object to the continuance.
4. The additional time requested herein is not sought for purposes of delay.

1 5. Additionally, denial of this request for continuance could result in a
2 miscarriage of justice.

3 DATED: October 27, 2022

4 Respectfully submitted,

5 /s/ Rachael E. Stewart
6 Rachael E. Stewart, Esq.
7 Counsel for Jorge Navarro

/s/ Melanee Smith
Melanee Smith, Esq.
Assistant United States Attorney
Counsel for the United States of America

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**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,
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ORDER

(Third Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Defense Counsel is still in the process of gathering mitigation information that needs to be finalized before proceeding to sentencing. This is the first request for a continuance for current Defense Counsel.
2. The Government has no objection to the continuance.
3. Mr. Navarro is in custody, and he does not object to the continuance.
4. The additional time requested herein is not sought for purposes of delay.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare for the sentencing hearing effectively and thoroughly, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for October 28, 2022, at the hour of 10:30 a.m. be vacated and continued to **January 11, 2023, at 10:30 a.m.**

DATED October 27, 2022.


UNITED STATES DISTRICT JUDGE